

This policy applies to users of the TPO scheme, which includes members of the public, third parties and businesses (whether or not they are TPO members). It should be read in conjunction with the Ombudsman's Terms of Reference (Paragraph 13c – 2018 version) which states that a complaint will not be investigated or an investigation discontinued if: *“in the Ombudsman's opinion the complaint does not have reasonable chance of success or they consider the Complainant is acting unreasonably, is continuously missing deadlines, is abusive, has clearly fabricated evidence or the Ombudsman considers the complaint to be frivolous or vexatious.”*

1. The Ombudsman is committed to dealing with all complaints fairly and impartially, and to providing a good service. However, inevitably, some users of the service will disagree with the Ombudsman's decisions, the advice provided or TPO's processes.
2. Where an investigation has been carried out and a proposed decision issued, the parties to the dispute will always have the opportunity to represent against the draft decision. The Ombudsman will also consider very carefully any further representations made after the final decision has been issued, but will not continue to respond to contacts from scheme users indefinitely where, in the Ombudsman's opinion, the correspondence raises no significant new issues which call the original decision into question. To do so would not be a good use of resources, and would have a detrimental effect on the service provided to other scheme users.
3. Very occasionally a scheme user may behave so unreasonably that it is necessary to limit access to the scheme's services in some way. The Ombudsman understands that complainants and businesses often feel very strongly about the disputes they are involved in, but unreasonable behaviour is not acceptable.
4. Unreasonable behaviour can include (but is not limited to):
  - Rudeness (for example, swearing, persistent interruption, name calling or general discourtesy).
  - Anger (for example, shouting).
  - Aggressive behaviour (for example, threats of physical harm to person(s) or property or to self; behaviour which indicates that physical harm to person(s) or property or to self is imminent or actual physical aggression).
  - Manipulative behaviour
  - Repeatedly requesting responses within unreasonable timescales
  - Insisting on speaking to a particular member of staff
  - Refusal to accept explanations as to what TPO can or cannot do
  - Not accepting of TPO's processes
  - Not accepting of TPO timescales
5. Repeated telephone calls
5. Sending repetitive and/or irrelevant emails or letters
5. Reiterating the same points in communications, despite points being previously addressed
5. In the rare cases where unacceptable behaviour occurs, the Ombudsman (or appointed deputy or senior manager) will tell the scheme user why they believe that is the case, and ask them to change their behaviour. If the unacceptable behaviour continues, the Ombudsman may take action to limit that scheme user's contact with TPO and inform the person of that limitation and the reason for it.
6. Any limitations imposed will be appropriate and proportionate. The options the Ombudsman is most likely to consider are:
  - requesting contact in a particular form (for example letters only);
  - limiting telephone calls to specified days and times; and/or
  - asking the scheme user to enter into an agreement about their conduct
7. If the scheme user continues to behave in a way which is unacceptable, the Ombudsman (or appointed deputy or senior manager) may decide to terminate contact with that person.
8. Where the behaviour is so extreme that it threatens the immediate safety and welfare of the Ombudsman or TPO's staff, other options will be considered, for example reporting the matter to the Police or taking legal action. In such cases prior warning of that action may not be given.